

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **March 14, 2006**

AGENDA ITEM NO.: 5

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **CONDITIONAL USE PERMIT (CUP): Heritage Court Townhomes, Phase II, 548 and 550 Leesville Road.**

RECOMMENDATION: Approval of the requested conditional use permit petition.

SUMMARY: LTD Properties, LLC is petitioning for a conditional use permit to allow construction of thirty-five (35) townhouses (for sale) with associated parking. The subject property is a tract of about four and ninety-six hundredths (4.96) acres located at 548 and 550 Leesville Road. The Planning Commission recommended approval of the conditional use permit because:

- The petition agrees with the Comprehensive Plan which recommends Medium Density Residential land use in this area.
- The petition agrees with the Zoning Ordinance in that townhouses are allowed in an R-3, Medium Density Two-Family Residential District with approval of a conditional use permit (CUP) from the City Council.

PRIOR ACTION(S):

February 22, 2006: Planning Division recommended approval of the conditional use permit. Planning Commission recommended approval (7-0) with the following conditions:

1. Property will be developed in substantial compliance with the Conditional Use Permit Plan for Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
2. The large deciduous tree on the southwest side of the Leesville Road entrance to Phase I of Heritage Court Townhomes will be preserved, in lieu of planting the proposed street tree as shown on the Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
3. A landscape screen will be provided along the perimeter of the proposed stormwater detention pond, subject to the review of the City Planner and Urban Forester. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
4. A vegetative buffer between the proposed development and the existing residences along Leesville Road will be provided along the perimeter of the site, subject to the review of the City Planner and Urban Forester. If existing vegetation does not provide adequate screening, the buffer will be supplemented with 4' evergreen trees. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
5. Stormwater quality impacts will be mitigated using a combination of Best Management Practices and Mechanical Inlet Filters. Practices are subject to the approval of the City's Environmental Planner.

FISCAL IMPACT: N/A

CONTACT:

Tom Martin/ 455-3909

ATTACHMENT(S):

- Ordinance
- PC Report
- PC Minutes
- Vicinity Zoning Pattern
- Vicinity Proposed Land Use
- Site Plan
- Project Narrative
- Building Elevations
- Speaker Sign-Up sheet

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO HERITAGE COURT TOWNHOMES, PHASE II, FOR USE OF THE PROPERTY AT 548 AND 550 LEESVILLE ROAD TO CONSTRUCT TOWNHOUSES, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG That the petition of Heritage Court Townhomes, Phase II, for a Conditional Use Permit at 548 and 550 Leesville Road to construct thirty-five (35) townhouses and associated parking be, and the same is hereby approved, subject to the following conditions:

1. Property will be developed in substantial compliance with the Conditional Use Permit Plan for Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
2. The large deciduous tree on the southwest side of the Leesville Road entrance to Phase I of Heritage Court Townhomes will be preserved, in lieu of planting the proposed street tree as shown on the Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
3. A landscape screen will be provided along the perimeter of the proposed stormwater detention pond, subject to the review of the City Planner and Urban Forester. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
4. A vegetative buffer between the proposed development and the existing residences along Leesville Road will be provided along the perimeter of the site, subject to the review of the City Planner and Urban Forester. If existing vegetation does not provide adequate screening, the buffer will be supplemented with 4' evergreen trees. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
5. Stormwater quality impacts will be mitigated using a combination of Best Management Practices and Mechanical Inlet Filters. Practices are subject to the approval of the City's Environmental Planner.

Adopted:

Certified:

Clerk of Council

021L

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: February 22, 2006
Re: **CONDITIONAL USE PERMIT (CUP): Heritage Court Townhomes, Phase II, 548 and 550 Leesville Road.**

I. PETITIONER

LTD Properties, LLC, 112 Sunbury Place, Lynchburg, VA 24502
Representative: P. Scott Beasley, Hurt & Proffitt, Inc., 2524 Langhorne Road, Lynchburg, VA 24501

II. LOCATION

The subject property is a tract of about four and ninety-six hundredths (4.96) acres located at 548 and 550 Leesville Road, Lynchburg, VA 24502.

Property Owner: LTD Properties, LLC, 112 Sunbury Place, Lynchburg, VA 24502

III. PURPOSE

The purpose of this petition is to allow construction of thirty-five (35) townhouses (for sale) with associated parking.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan which recommends Medium Density Residential land use in this area.
- Petition agrees with the Zoning Ordinance in that townhouses are allowed in an R-3, Medium Density Two-Family Residential District with approval of a conditional use permit (CUP) from the City Council.
- Petition proposes the construction of a thirty-five (35) unit townhouse complex with associated parking.

The Planning Division recommends approval of the conditional use permit petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends Medium Density Residential development in this area. Medium Density Residential includes small-lot single family detached housing, duplexes, and townhouse at densities of up to twelve (12) units per acre. The project, when combined with Phase I of Heritage Court Townhomes through a separate subdivision plat submittal, will have a density on approximately twelve and seventh tenths (12.7) units per acre.
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-3, Medium Density Two Family Residential zoning was established in 1978 with the adoption of the *Zoning Ordinance*.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - 1/9/2001: City Council approved Heritage United Methodist Church's CUP petition for the construction of a multi-purpose building at 582 Leesville Road.
 - 10/10/2000: City Council approved Bell Atlantic's CUP petition to construct a sixty-eight (68) space parking lot in an R-3, Two-Family Residential District at 555 Leesville Road.
 - 9/12/2000: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.

- 7/8/1997: City Council approved Heritage High School's CUP petition to construct a two hundred (200) space parking lot in an R-1, Single Family Residential District at 3020 Wards Road.
- 4/9/1996: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 2/13/1996: City Council approved C. Donald Childress and Edward R. Walker's petition to rezone three and eight tenths (3.8) acres from R-3, Two-Family Residential District to a B-5C General Business District (conditional), to allow the construction of mini storage warehouses and speculative commercial use at 7316 and 7318 Timberlake Road.
- 6/13/1995: City Council approved Bell Atlantic of Virginia's CUP petition for the construction of a company parking lot and a storage area for equipment and materials at 553 Leesville Road.
- 4/25/1995: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 12/13/1994: City Council approved Heritage United Methodist Church's CUP petition to increase the number of children in an existing day care center to one hundred twenty-five (125) at 582 Leesville Road.
- 4/12/1994: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 3/9/1993: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 7/14/1992: City Council approved Lynchburg City School's CUP petition for the installation of 4 modular classrooms for Heritage Elementary School at 501 Leesville Road.
- 3/10/1992: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 4/9/1991: City Council approved Heritage United Methodist Church's Temporary CUP petition for the construction of pre-school center at 582 Leesville Road.
- 4/9/1991: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 4/10/1990: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 4/11/1989: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 8/9/1988: City Council E.F. Baldwin's CUP petition for the construction of multi-family townhouses in an R-3, Two-Family Residential District at 542 Leesville Road.
- 4/12/1988: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
- 4/14/1987: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.

- 5/13/1986: City Council approved Heritage United Methodist Church's CUP master plan petition for the new church complex at 582 Leesville Road.
 - 4/8/1986: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
 - 4/9/1985: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
 - 2/12/1985: City Council approved Heritage United Methodist Church's CUP petition for the construction of a new sanctuary, education building and parking lot in an R-3, Two-Family Residential District at 594 Leesville Road.
 - 2/14/1984: City Council approved Elks Lodge #321's Temporary CUP petition to host a circus in a B-5C, General Business District (conditional), a R-4, Multi-Family Residential District and an R-3, Two-Family Residential District at 7306 Timberlake Road.
5. **Site Description.** The subject property is bounded to the north by single-family homes, to the east by single-family homes, Verizon and Heritage High School, to the south by single family homes and two churches and to the west by the vacant Fort Hill Drive-In (part of which is used as the Fort Hill Flea Market.
 6. **Proposed Use of Property.** The purpose of the conditional use permit is to allow construction of a thirty-five (35) unit townhouse complex and associated parking. Building materials and elevations for the single-family attached homes will be similar to the existing Phase I of Heritage Court Townhomes. The petitioner proposes that the project will be graded in a manner that preserves the existing tree buffer around the property and to supplement the buffer with evergreen plantings as needed to shield residences along Leesville Road. In addition, the petitioner will add street trees at the entrance to the site, shade trees within the parking area and foundation plantings around the new units. Sidewalks are provided to all common areas.
 7. **Traffic and Parking.** The City's Traffic Engineer had no comments of concern regarding traffic from the proposed development. Traffic from the site will outlet onto Leesville Road, which is a four-lane arterial street with a traffic volume of about eleven thousand (11,000) vehicles per day. Since this volume is well below the rated capacity of the roadway, traffic impacts are expected to be minimal from the proposed townhouses.

Parking requirements for the proposed development are set at two and a half (2.5) spaces per unit by the City's Zoning Ordinance; the proposed thirty-five (35) townhouses require eighty-eight (88) parking spaces. The site plan indicates that eighty-nine (89) parking spaces will be provided for the townhouses, thus meeting the requirement of City Code.
 8. **Storm Water Management.** New impervious areas will exceed one thousand (1,000) square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an above-ground stormwater detention facility. The pond will be located on site of Heritage Court Townhouses, Phase I adjacent to existing townhouse units. A preliminary drainage review indicates that the receiving channel is adequate for the site's stormwater from the proposed pond. Stormwater quality will be addressed through a combination of Best Management Practices and mechanical stormwater filters.
 9. **Emergency Services.** The City's Fire Marshal had no comments on the Conditional Use Permit application for the proposed townhouse development.

The City Police Department's South Division had no comments on the proposed townhouse development.

10. **Impact.** The development of the thirty-five (35) unit townhouse complex, including the associated parking and recreational areas, will have limited impacts on the surrounding neighborhoods. The design and layout of the buildings are acceptable to the Planning Division.

The petitioner proposes that the project will be graded so as to preserve the existing tree buffer around the property and to supplement the buffer with evergreen plantings as needed to shield existing residences

along Leesville Road. In addition, the petitioner will add street trees at the entrance to the site, shade trees within the parking area and foundation plantings around the new units. Preservation of the existing large deciduous tree located at the entrance to the property is a true asset to the Leesville Road corridor. The Planning Division recommends that, since no grading is proposed along that corridor, that the tree be preserved and only one additional tree of the same species be planted on the northwest side of the entrance.

New impervious areas will exceed one thousand (1,000) square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an above-ground stormwater detention facility. The pond will be located on site of Heritage Court Townhouses, Phase I adjacent to existing townhouse units. The Planning Division recommends that a landscape screen be placed around the pond so as to minimize the impacts of the stormwater pond on the adjacent landowners. A preliminary drainage review indicates that the receiving channel is adequate for the site's stormwater from the proposed pond. Stormwater quality will be addressed through a combination of Best Management Practices and mechanical stormwater filters.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on January 17, 2006. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.
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VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of LTD Properties, LLC's petition for a Conditional Use Permit (CUP) at 548 and 550 Leesville Road to allow for the construction of a thirty-five (35) unit townhouse complex and associated parking, subject to the following conditions:

1. Property will be developed in substantial compliance with the Conditional Use Permit Plan for Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
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3. A landscape screen will be provided along the perimeter of the proposed stormwater detention pond, subject to the review of the City Planner and Urban Forester. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
4. A vegetative buffer for between the proposed development and the existing residences along Leesville Road will be provided along the perimeter of the site, subject to the review of the City Planner and Urban Forester. If existing vegetation does not provide adequate screening, the buffer will be supplemented with 4' evergreen trees. If the "infill planting" requires that more than 25 evergreen trees be used to supplement, then two different species are required. If the buffer requires more than 50 evergreen trees be used to supplement, then three species are required.
5. Stormwater quality impacts will be mitigated using a combination of Best Management Practices and Mechanical Inlet Filters. Practices are subject to the approval of the City's Environmental Planner.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. J. Lee Newland, Director of Engineering
Mr. Michael Thomas, Acting Fire Marshal
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau
Capt. Todd Swisher, Lynchburg Police Department North Division
Capt. J.P. Stokes, Lynchburg Police Department East Division
Capt. Al Thomas, Lynchburg Police Department South Division
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mrs. Erin B. Hawkins, Environmental Planner
Mr. P. Scott Beasley, Hurt & Proffitt

VII. ATTACHMENTS

1. Vicinity Zoning Pattern
(see attached map)
2. Vicinity Proposed Land Use
(see attached map)
3. Site Plan
(see attached site plans)
4. Project Narrative and Building Elevations
(see attached narrative)

Petition of LTD Properties, LLC for a conditional use permit at 548 & 550 Leesville Road to allow the construction of 35 townhouse units for sale in an R-3, Medium Density Two-Family Residential District.

Mr. Tom Martin, City Planner, explained that this petition was to construct thirty-five (35) townhomes on approximately four (4) acres of land and was Phase II of the Heritage Court Townhomes project on Leesville Road. He added that the site would be accessed from the existing parking lot for Phase I. He said the Future Land Use Map recommended a medium-density residential use for the property which would have 12.7 units per acre. Mr. Martin noted that stormwater management would be handled by a detention pond on the existing townhome site with water quality will be treated through both mechanical means and Best Management Practices. He said the Planning Division recommended approval of t.

Mr. Scott Beasley, Hurt and Proffitt, represented the petitioner in this request. Mr. Beasley said the proposed townhomes were almost exactly the same as the townhomes in Phase I. He said the size of the units and building materials would be the same as the existing townhomes. He added that the parking requirements called for eighty-eight (88) spaces, and there would be eighty-nine (89) spaces. He said the houses currently on the front of the property would remain on the site with the townhouse units being built on the back portion of the lot. He said the site would be graded to maintain the existing tree buffer and they would supplement that buffer with evergreen plantings to obscure the view from those houses as well as from the property to the south. Mr. Beasley said the stormwater quantity would be handled by a proposed pond on the northwest corner of the site and quality would be handled by mechanical filters in combination with Best Management Practices, such as vegetative swales. He added that landscaping would include street trees, shade trees, and parking islands according to the City Code, with foundation plantings around the building.

Mrs. Ruby Ewers, 552 Leesville Road, addressed the Commission with concerns about the screening of her property from the proposed development. Mrs. Ewers asked if she could have a privacy fence between her property and the proposed development. She added that there would be more traffic passing by her home as well as additional noise.

Mr. Martin pointed out that Condition 4 in the recommended motion stated that a vegetative buffer be placed along the property line adjacent to the houses on Leesville Road, which included Mrs. Ewers property. He said they were trying to retain an existing tree line which would be supplemented with evergreens if an additional buffer was needed. He added that the Planning Commission could impose any condition they deemed necessary, so if they felt it would be more adequate to screen with a privacy fence in certain areas, it would be in their purview. Mr. Martin said the buffer should wrap the corner of the site, and then they would determine if the additional vegetation was needed.

Commissioner Barnes said the existing tree buffer behind the current development was very thin and did not provide much visual screening.

Chair Hamilton asked Mrs. Ewers if the vegetative buffer instead of a wood fence would meet her needs of being screened from the development.

Mrs. Ewers said the vegetative buffer would be fine and added that she was not sure what she should be asking for other than a wood fence. She said she did not like the development, but knew that she could not stop the progress.

Mr. Matt Duguay, 542 Leesville Road, explained that he owned a townhouse in Phase I of the project and asked who would be managing the new section. He added that if it were the same

company, he hoped that his homeowner dues would be reduced among all of the townhome owners, as they were getting no amenities for the monthly fee that they currently pay.

Mr. Beasley said the developers were different, so he assumed that there would be a different management company for each phase.

Commissioner Bacon asked about the driveway being shared if the second phase was being developed by two different companies and if there was an agreement between those developers.

Mr. Martin said it was the City's understanding that the line between the two sites would be vacated and would become one development; therefore, an easement would be needed. He noted that the vacation would have to be done, otherwise, Phase II would have no street frontage. He said there may be a different developer building Phase II, but in the end, both phases would be considered Heritage Court Townhomes.

Mr. Beasley explained that in the last couple of weeks the developer tried to make contact with the adjoining property owners to ensure that they were aware of what was planned and clear up the fact that the three houses on the front of the site were not being demolished. He said the project was being built according to the City Code and they were trying to make sure that the residents on the front half of the property were screened by vegetative buffers and that the site would be aesthetically pleasing with foundation plantings, street trees and shade trees.

Commissioner Sale asked if the neighbors could be in on the conversation when Mr. Martin and Mr. Schreiber made their determination as to whether the vegetation provided an adequate screening or if the buffer would have to be supplemented with evergreen trees.

Mr. Beasley said he could not answer for the developer concerning bringing the neighbors together to get their opinion on the buffer, but added that he was certain that the developer wanted to be a good neighbor to the adjoining property owners.

Chair Hamilton said if the Planning Commission recommended approval to Council for this development, it would be up to Mr. Martin and the City's Urban Forester to enforce the conditions.

Commissioner Barns asked how the runoff would get to the detention pond.

Mr. Beasley said since this was just a master plan they did not have a grading design. He added that the elevation of the Phase I development would be a benefit in draining the Phase II site. He pointed out that there was a drop inlet where the existing parking lot joined the proposed driveway which would be utilized to carry the water off the site. Mr. Beasley told the Commission that since the system was more or less already in place it would either be utilized or they would use swales.

Commissioner Sale asked Mr. Martin if he would be in touch with the neighbors about the appropriate amount of vegetation for the screening.

Mr. Martin said he could talk with Mrs. Ewers about the buffer, but at some point they had to make the determination of what was acceptable, which would fall to City staff's determination.

Commissioner Flint said he was happy there would be detention for the whole property. He also voiced his approval of the tree screening rather than putting up a fence.

After discussion, Commissioner Sale made the following motion, which was seconded by Commissioner Oglesby and passed by the following vote:

"That the Planning Commission recommends to City Council approval of LTD Properties, LLC's petition for a Conditional Use Permit (CUP) at 548 and 550 Leesville Road to allow for the construction of a thirty-five (35) unit townhouse complex and associated parking, subject to the following conditions:

1. Property will be developed in substantial compliance with the Conditional Use Permit Plan for Phase Two Heritage Court Townhomes, revised February 10, 2006 and received by Community Planning & Development on February 10, 2006.
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5. Stormwater quality impacts will be mitigated using a combination of Best Management Practices and Mechanical Inlet Filters. Practices are subject to the approval of the City's Environmental Planner."

AYES:	Bacon, Barnes, Flint, Hamilton, Oglesby, Sale, Worthington	7
NOES:		0
ABSTENTIONS:		0
ABSENT:		0

HERITAGE COURT TOWNHOMES-PHASE 2

Map # 248-09-019.20
Conditional Use Permit Request
Petitioner: LTD Properties, LLC

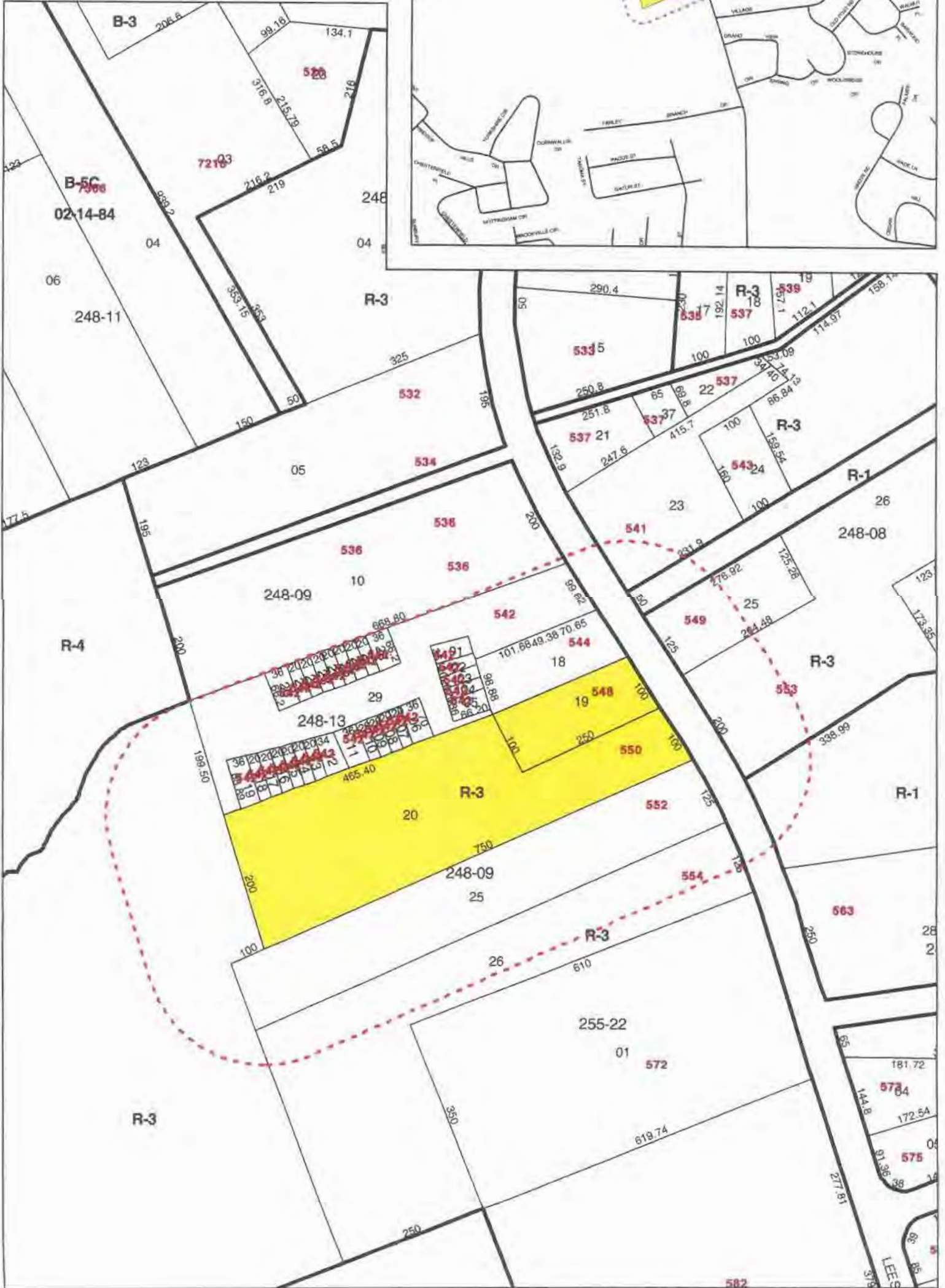
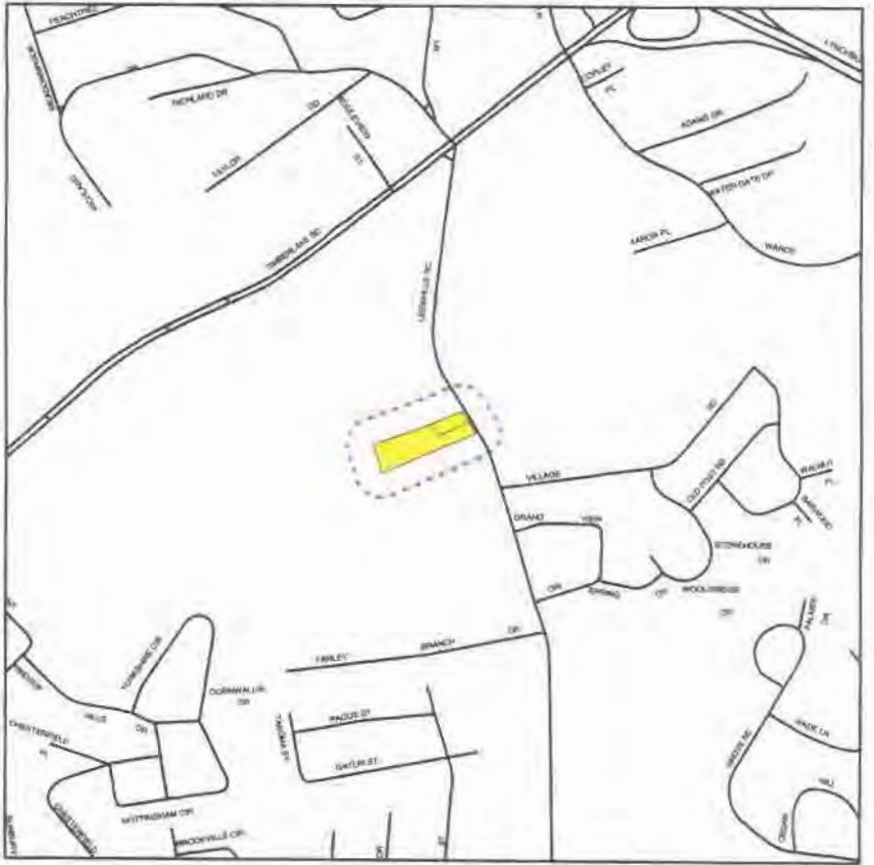
MAP PREPARED BY
THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

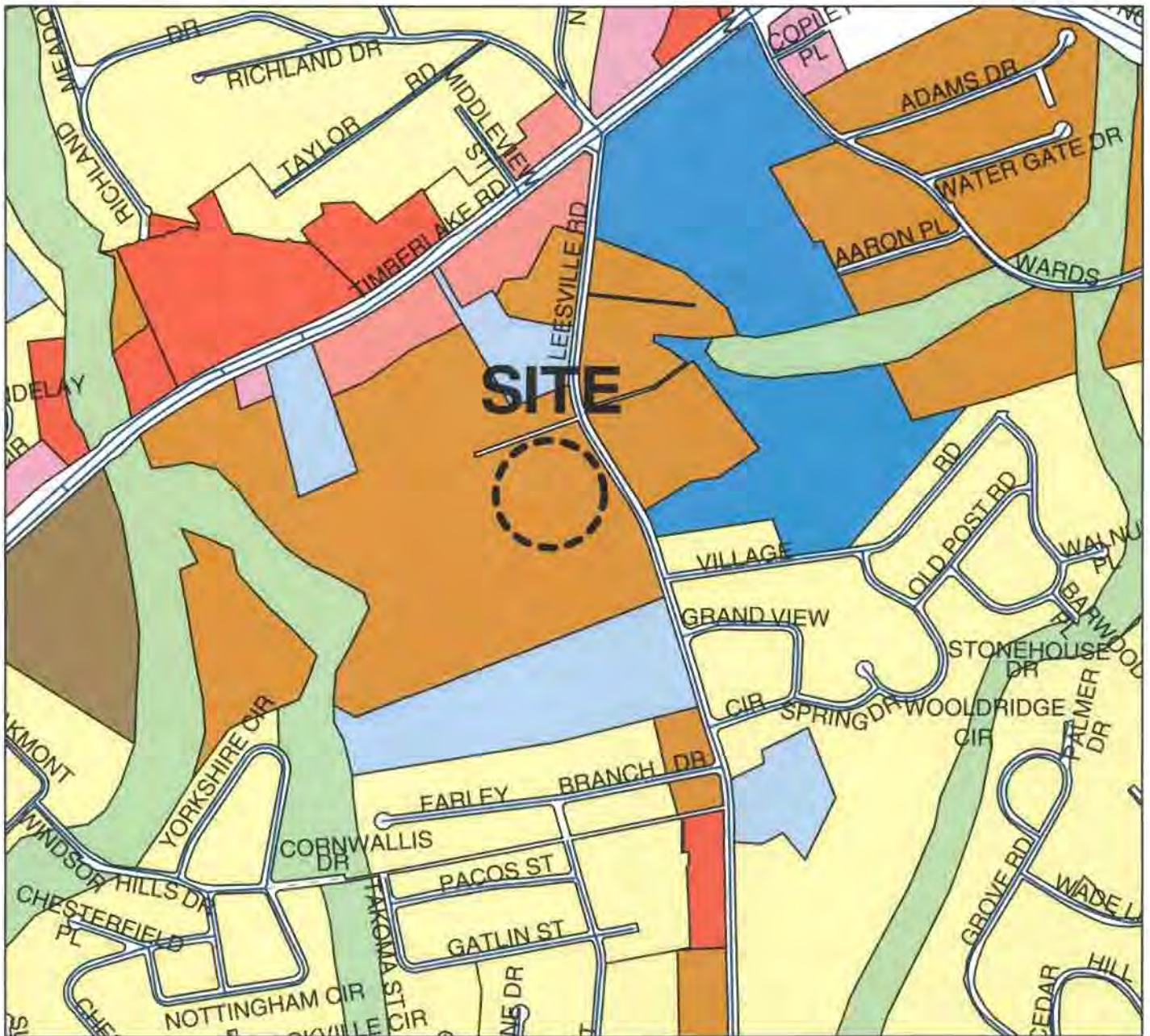


Subject Property

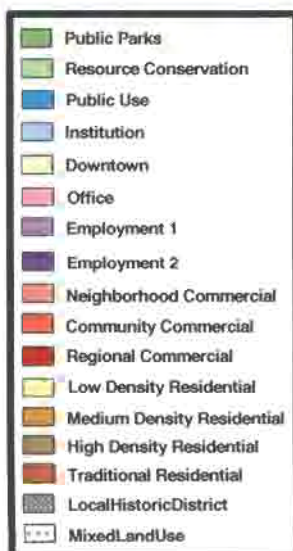


200 ft Radius





HERITAGE COURT TOWNHOMES-PHASE 2 #548, 550 LEESVILLE ROAD LAND USE PLAN



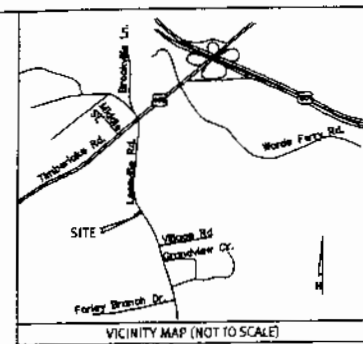
HERITABE COURT TOWNHOMES - PHASE 2
548, 550 LEESVILLE ROAD

PIN	OWNER
24813028	ADAMS CRYSTAL F
24813018	ANDERSON EVA JANE
24813027	BERNDT GARY L
24809010	BROOKS THOMAS T & MILDRED M
24813016	BUCHANAN BONNIE
24808025	BURY JAMES E SR
24808026	VERIZON VIRGINIA INC
24813029	CCB&B PROPERTIES
24807001	CITY OF LYNCHBURG C/O STEVE LAWSON
24813025	DAY CAMERON L
24809018	DOWDY BELLE F & NEFF BETTY J C/O BETTY J NEFF
24813014	DUGUAY MATTHEW P & PATRICA M
24809019	EGEL ROBB N
24813003	EGEL ENTERPRISES INC
24809025	EWERS LATHAN M & RUBY J
24813020	GAINES JEFFERY E SR & BRENDA J
	GOWIN THELMA E LIFE ESTATE GOWIN C R
24809026	& GOWIN T K-REMAINDERMAN
24813026	KING RUBY M
24808023	MADONIA LOUIS A SR & FAYE P
	MONTFORD ASSOCIATES LIMITED
	PARTNERSHIP
24811006	C/O PALISADES PROPERTIES INC
24813006	OSBORNE BEVERLY W
24813023	ROAKES WAYNE L & ADELHEID T
24813019	SPEEGLE REBECCA R
24813021	THOMPSON JOHN H & ANNIE M
Owner	EGEL ROBB N
Petitioner	LTD PROPERTIES, LLC
Representative	SCOTT BEASLEY/HURT & PROFFITT

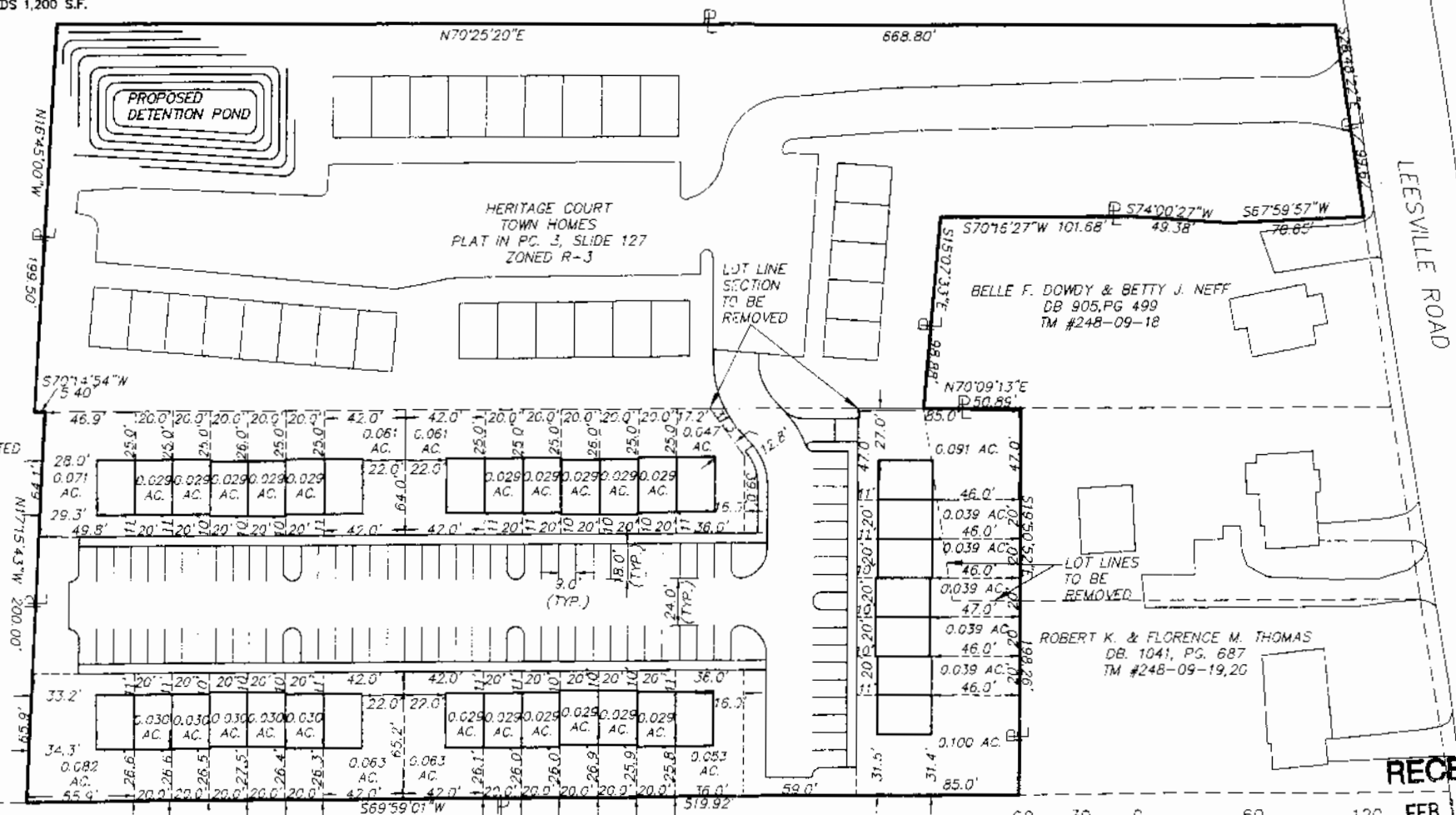
GENERAL SITE NOTES:

1. SETBACKS:
FRONT = 10FT MIN., SIDE = 16FT MIN., REAR = 25FT MIN.
2. LANDSCAPE BUFFER: THE EXISTING TREE BUFFER TO BE PRESERVED AND SUPPLEMENTED WITH EVERGREEN PLANTINGS AS REQUIRED TO PROVIDE AN ADEQUATE BUFFER TO NEIGHBORING RESIDENTIAL AREAS.
3. ALL PARKING SPACES TO BE 9' x 18' WITH 24' DRIVE AISLE (FOR 90° SPACES).
4. THIS PROPERTY IS LOCATED IN ZONE 'C' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100-YEAR FLOOD AS DETERMINED BY F.E.M.A. AND SHOWN ON COMMUNITY PANEL MAP #510093-0020 DATED SEPTEMBER 1, 1978 AND REVISED NOVEMBER 16, 1983.
5. PARKING CALCULATIONS:
REQUIRED PARKING = 2.5 SPACES PER TOWNHOUSE UNIT = 35 x 2.5 = 88 SPACES.
PROPOSED PARKING = 89 SPACES
6. PROPOSED DETENTION POND WILL RETAIN FOR PROPOSED TOWNHOUSE UNITS. WATER QUALITY TREATMENT TO BE BY VEGETATED (GRASS) SWALES & MECHANICAL DEVICES SUCH AS SNOUT INSERTS OR VORSENTRY.
7. THE PROPOSED SITE INCLUDES PORTIONS OF TM# 248-9-19/20.
8. SITE OWNER: LTD PROPERTIES, LLC
ADDRESS: 112 SUNBURY PLACE
LYNCHBURG, VA 24502
CONTACT: ROBB EGEL
9. ZONING: THE SITE AND ALL ADJOINING PROPERTIES ARE ZONED R-3.
10. EACH PROPOSED LOT EXCEEDS 1,200 S.F.

11. EACH TOWNHOUSE UNIT MEASURES 20.0' x 28.0'.
12. EXISTING TREE BUFFER ALONG PROPERTY TO BE PRESERVED. BUFFER TO BE SUPPLEMENTED WITH EVERGREEN PLANTINGS AS NEEDED TO SHIELD EXISTING RESIDENCES ALONG LEEVILLE RD. EXTERIOR LIGHTING SHALL BE CONTROLLED SO THAT NO DIRECT ILLUMINATION WILL OCCUR BEYOND ANY PROPERTY LINE.
- 13.



MONTFORD ASSOCIATES-LIMITED
PARTNER C/O PALISADES
PROPERTIES, INC.
DB. 808, PG. 583
TM #248-11-006
ZONED R-3



LATHAN M. & RUBY J. EWERS
DB. 215, PG 78 (CAMPBELL CO.)
TM #248-09-25
ZONED R-3



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FEB 10 2006

COMMUNITY PLANNING & DEVELOPMENT

1 02/10/06 PER TRC COMMENTS - 01/23/06

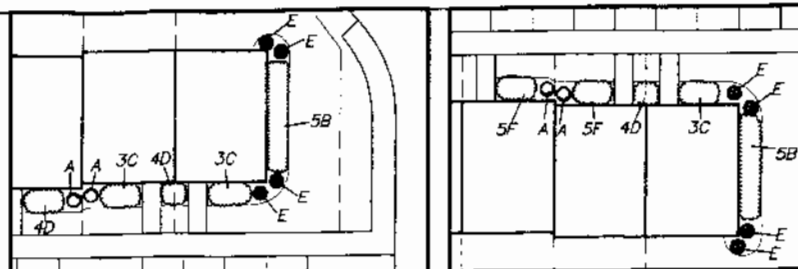
PROJECT NO. 20050938
NO. 264-01-C2.B
DATE: 01/03/05
DRAWN BY: JWG
CHECKED BY: PSB

SHEET NO.
1 OF 2

CONDITIONAL USE PERMIT PLAN FOR PHASE TWO HERITAGE COURT TOWNHOMES CITY OF LYNCHBURG, VIRGINIA

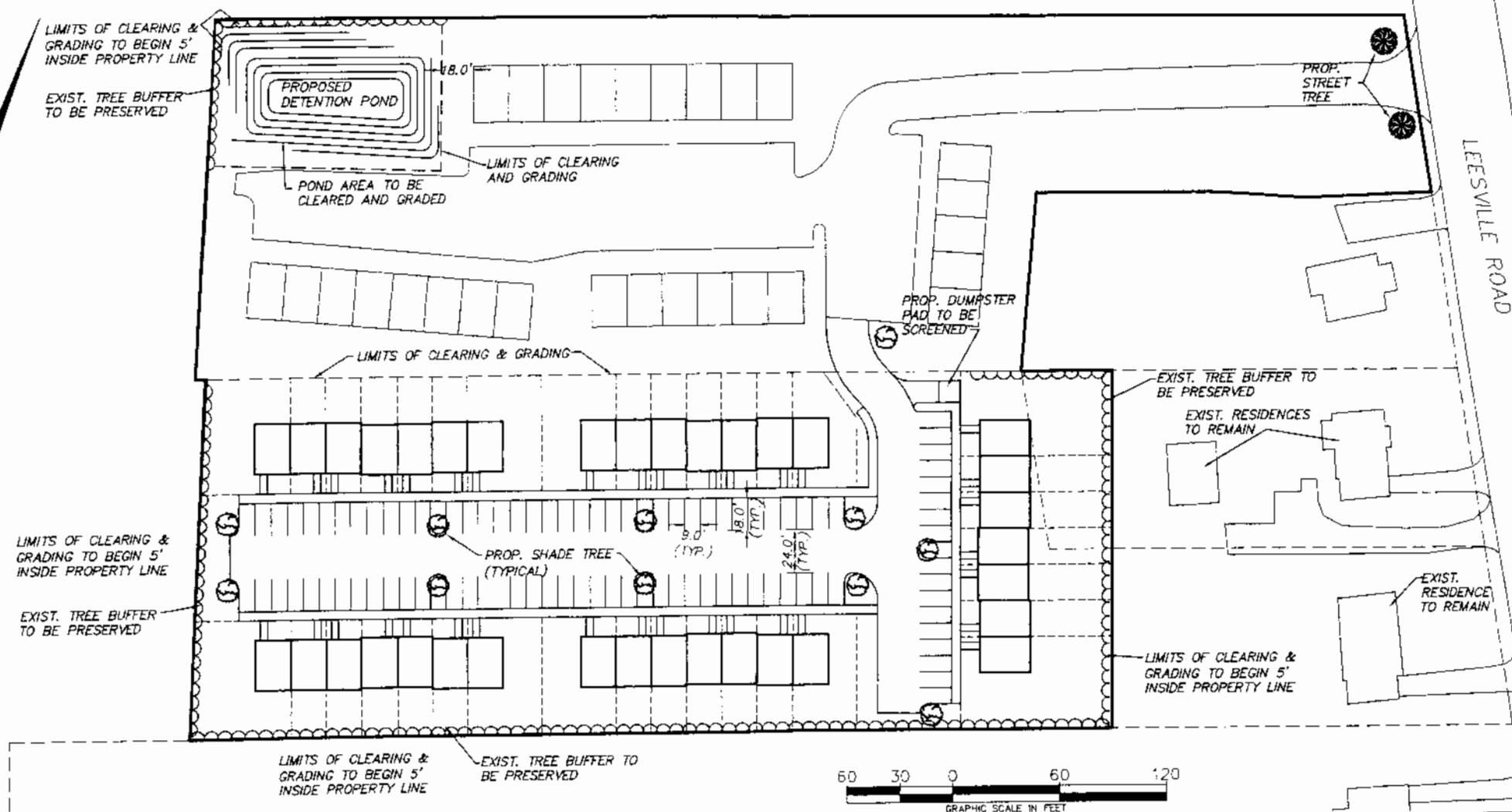
HURT & PROFFITT
INCORPORATED
2324 LANCASHIRE ROAD
LYNCHBURG, VA 24501
800.242.4806 TOLL FREE
434.847.7795 FAX
434.847.0047 FAX

PLANT LIST			
SYM.	BOTANICAL NAME	COMMON NAME	SIZE
A	ILEX GLABRA 'COMPACTA'	DWARF INKBERRY	3 GAL
B	ILEX CRENATA 'HELLERI'	HELLERI HOLLY	3 GAL
C	JUNIPERUS SQUAMATA 'BLUE STAR'	BLUE STAR JUNIPER	3 GAL
D	NANDINA DOMESTICA 'HARBOUR DWARF'	HARBOUR DWARF NANDINA	3 GAL
E	EUONYMUS ALATA 'COMPACTA'	DWARF BURNING BUSH	3 GAL
F	RHODODENDRON 'DELAWARE VALLEY WHITE'	DVW AZALEA	3 GAL



TYPICAL SOUTH AND
WEST FACING
ENTRANCES
N.T.S.

TYPICAL NORTH
FACING ENTRANCES
N.T.S.



CONDITIONAL USE PERMIT PLAN FOR PHASE TWO HERITAGE COURT TOWNHOMES CITY OF LYNCHBURG, VIRGINIA

PROJECT NO. 20050938
G.L. NO. 264-01-C2.8
FILE NO. 5L-11178
DATE: 01/03/05
DRAWN BY: JWG
CHECKED BY: PSB

SHEET NO.
2 OF 2

HURT & PROFFITT
INCORPORATED
2524 LANGHORNE ROAD
LYNCHBURG, VA 24501
PHONE: 781.450.0000 TOLL FREE
434.847.7796 MAIN
434.847.0047 FAX



Hurt & Proffitt, Inc.

*Engineering • Surveying • Environmental
Materials Testing • Geotechnical
Site Planning*

2524 Langhome Road • Lynchburg, VA 24501
(434) 847-7796 • FAX (434) 847-0047

CUP NARRATIVE

Heritage Court Townhomes – Phase 2
Leesville Road
Lynchburg, Virginia

CITY PROJECT #CUP0601-0001
HURT & PROFFITT PROJECT #20050938

PROJECT DESCRIPTION

The Conditional Use Permit Plan for Heritage Court Townhomes shows the 28 existing townhouses and all current site conditions as of February 9, 2006. Also shown are the 35 proposed new townhouses and other features for buildout. The site does fall within the Commercial Corridor Overlay District (CCOD). However, CCOD requirements do not apply to this residential zone.

BUILDING MATERIALS

The developer plans to utilize the same building materials that were used for the existing Heritage Court Townhomes. Each unit will be constructed of brick and vinyl with asphalt shingles to match, as closely as possible, the existing townhouse units. Colors will be similar to what is existing. See the attached photos for typical elevations.

STORM WATER MANAGEMENT

The storm water quantity for the site will be managed by the proposed detention pond as shown on the attached CUP plan. The existing townhouse complex does not utilize a pond. Storm water is collected by a combination of grass-lined swales and underground pipes and conveyed to the northwest corner of the site where it is released. Runoff eventually flows northward to the large depression on the neighboring property. The proposed pond will be located in the northwest corner of the site. It will be used to detain runoff from all of the proposed parking, roadways, access aisles and buildings shown on the CUP plan.

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& DEVELOPMENT**

ADEQUATE CHANNEL

The ultimate receiving channel is the large off-site depression to which all storm water from the site flows. A dam on the west side of the depression is formed by a roadway under which a culvert is located. Currently a storm pipe on the existing Heritage Court site releases storm water that flows into this depression. The proposed detention facility's new riser/barrel outlet will release storm water that will flow into the depression at the same location that the existing pipe discharges its runoff. Preliminary engineering analysis shows that the depression is an adequate receiving channel and that there will actually be a decrease in storm water runoff from the site as a result of the proposed detention facility.

WATER QUALITY

The stormwater runoff for the site will be treated for quality through a combination of above ground BMP's and mechanical measures. The preferred mechanical method would be through either snout inserts or through the Vortsentry mechanical devices for manhole inserts. Vegetated (grass) swales and depressions will be used to the extent possible to treat storm water runoff between, beside, and behind townhouse buildings. The bottom of the pond will also have a flat vegetated (grass) swale to aid in additional water quality treatment. The site plan for the townhouse complex expansion will provide specifics as to each water quality measure.

PARKING

The project must meet the current City of Lynchburg parking requirements. The City of Lynchburg's ordinance requires 2.5 parking spaces for each residential unit. Proposed parking spaces for the new townhouse units are shown on the plan along with parking calculations. It should be noted that the proposed parking as shown may have to be adjusted due to grade and buffer restraints as the project is designed, however, the required number of spaces as set forth by the City of Lynchburg will be met.

The parking as shown on the CUP plan is as follows:

Proposed Townhouses:

Required:

$$35 \text{ units} \times 2.5 \text{ spaces/unit} = 87.5 \text{ spaces} = 88 \text{ spaces}$$

Provided:

89 spaces

LANDSCAPING/OTHER

Clearing and grading limits are shown on the attached CUP plan. To the extent possible, a 5' buffer of existing trees will remain along the perimeter of the new site and along the property lines where the proposed pond is to be located. This buffer will be supplemented with evergreen plantings where necessary to obscure the view from the existing residences along Leesville Road.

Landscape plantings will be as provided on the attached CUP plan. Shade trees will be located in interior medians within parking areas and at the ends of all parking rows. No more than ten (10) to fifteen (15) consecutive parking spaces will be located between islands. Street trees will be provided at the existing entrance to Heritage Court on Leesville Road. Street and shade tree types will be provided at the site plan stage. Foundation plantings will be as shown on the CUP plan.

Walkways are provided in all common areas and a connection is provided to the dumpster area. All walkways are 5' concrete sidewalks.

Exterior lighting shall be controlled so that no direct illumination will occur beyond any property line. A note is provided on the CUP plan.

TYPICAL ELEVATIONS FOR THE
HERITAGE COURT TOWNHOMES – PHASE 2

